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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/534,927

08/24/2005

Pavel Jurik

CU-4209 BWH

3663

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EXAMINER

PAYNE, SHARON E

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 01/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/534,927

Applicant(s)

JURIK, PAVEL

Examiner

Sharon E. Payne

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☒ Claim(s) 4 and 5 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 0905.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Objections

1. Claims 4 and 5 are objected to because of the following informalities: 1) the phrase "the bearing inside ring" should be "a bearing inside ring" in line 3 of claim 4; 2) the phrase "the driver outer rim" should be "a driver outer rim" in lines 3-4 of claim 4; 3) the phrase "the bearing outside ring" should be "a bearing outside ring" in line 4 of claim 4; 4) the word "comprise" should be "comprises" in line 6 of claim 4.; 5) the word "dismountable-connection" should be "dismountable connection" in line 5 of claim 4 and line 3 of claim 5; and 6) the word "comprise" should be "comprises" in line 3 of claim 5. Appropriate correction is required.

2. Claim 5 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. It is dependent on claim 4, but the limitations of claim 5 are found in claim 4.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rasmussen et al. (U.S. Patent 6,601,973) in view of Niethammer (DE 2,263,689).

Regarding claim 1, Rasmussen et al. discloses a carrier disc (Fig. 1A) provided with circular apertures allowing for lighting of gobos (Fig. 1A, reference number 28) characterized in that each segment is provided with a lamella (Fig. 1a, top portion of reference number 22) for attachment in the holding means (Fig. 1a) with means for setting the segment on the carrier disc (reference number 26, Fig. 1a). Rasmussen et al. does not disclose the resilient holding means.

Niethammer discloses the resilient holding means (Fig. 1, middle portion with radial extensions) to support interchangeable segments with the gobos (Fig. 1).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the configuration of Neithammer in the apparatus of Rasmussen et al. to support a segment removably in a simple manner. See Fig. 1 of Niethammer.

Concerning claim 2, Rasmussen et al. does not disclose flexible fingers. Niethammer discloses the holding means comprising a system of flexible fingers (Fig. 1, center) in a fan-shaped arrangement (Fig. 1), the fingers being at inside ends fixed to the carrier plate (Fig. 1, center) and on the outside free ends adapted to allow for insertion of the segment lamellas between the fingers and the carrier disc (Fig. 1).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the configuration of Neithammer in the apparatus of

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Rasmussen et al. to support a segment removably in a simple manner. See Fig. 1 of Niethammer.

Regarding claim 3, Rasmussen et al. does not disclose integrated fingers. Niethammer discloses the fingers at their inside ends being integrated into one unit (Fig. 1, center) while the number of fingers within this unit corresponds to the number of segments to be supported by the carrier disc (Fig. 1).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the configuration of Neithammer in the apparatus of Rasmussen et al. to support a segment removably in a simple manner. See Fig. 1 of Niethammer.

Allowable Subject Matter

5. Claims 4 and 5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter. The prior art fails to disclose replaceable gobos with the following features:

1) each segment being provided with a bearing supporting a driver with a gobo, the bearing inside ring being provided for by the driver outer rim and the bearing outside ring being attached to the segment lamella by dismountable connection means as recited in claim 4; and

2) the means for setting the segment on the carrier discs comprises
dismountable connection means for attachment of the gobo bearing outer ring on the
lamella as recited in claim 5.

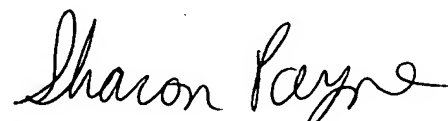
Conclusion

7. Any inquiry concerning this communication or earlier communications from
the examiner should be directed to Sharon E. Payne whose telephone number is (571)
272-2379. The examiner can normally be reached on regular business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number
for the organization where this application or proceeding is assigned is 571-273-8300.

8. Information regarding the status of an application may be obtained from the
Patent Application Information Retrieval (PAIR) system. Status information for
published applications may be obtained from either Private PAIR or Public PAIR.
Status information for unpublished applications is available through Private PAIR only.
For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should
you have questions on access to the Private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free).

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Sharon Payne
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Technology Center 2800